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Attorneys for Defendants SIMI MANAGEMENT
CORP., and STEVEN A. SIMI

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

AUTOMOTIVE INDUSTRIES PENSION
TRUST FUND, JAMES H. BENO, Trustee,
BILL BRUNELLI, Trustee, STEPHEN J.
MACK, Trustee, MARK HOLLIBUSH,
Trustee, CHRIS CHRISTOPHERSEN, Trustee,
DON CROSATTO, Trustee, GEORGE HALL,
JR., Trustee, CHARLES J. DI BARI, Trustee,
RON NELSON, Trustee, and JAMES V.
CANTERBURY, Trustee,

Plaintiffs,

v.

SIMI MANAGEMENT CORP., a California
corporation, doing business as CONNELL
AUTO CENTER, and STEVEN A. SIMI also
known as ANSELMO SIMI, an Individual,

Defendants.

Case No.: C 09-02550 JCS

**STIPULATION AND PROPOSED
ORDER REQUESTING THAT COURT
CONTINUE DEADLINE FOR
COMPLETING MEDIATION AND
CASE MANAGEMENT CONFERENCE**

For the reasons that follow, the parties hereby jointly request that the Court continue the January 4, 2010, deadline for completing mediation and the January 14, 2010, case management conference.

1. This is an action under ERISA by Trustees of the Automotive Industries Pension Trust Fund to recover withdrawal liability from the defendants. The Court has set the following case management dates:

- | | | |
|-----|---|---------|
| (1) | Completion of mediation: | 1/4/11 |
| (2) | Further Case Management Conference: | 1/14/11 |
| (3) | Disclosure of identities and reports of expert witnesses: | 2/11/11 |
| (4) | Completion of Fact and Expert Discovery: | 3/18/11 |
| (5) | All case-dispositive motions to be heard at 9:30 a.m. on or before: | 4/22/11 |
| (6) | Final Pretrial Conference at 1:30 p.m. on: | 7/22/11 |
| (6) | Trial will begin at 8:30 a.m. on: | 8/15/11 |

2. The Court's ADR Unit has advised plaintiffs' counsel that it cannot locate a mediator who could complete the mediation by the Court's deadline of January 4, 2011, but would have a better chance of finding a mediator if the parties could arrange for a 30 day extension of the deadline. Accordingly, the parties stipulate and jointly request that the Court continue the deadline for completing mediation from January 4, 2011, to February 3, 2011, and the post-mediation Case Management Conference from January 14, 2011, to February 18, 2011, with an updated joint Case Management Conference Statement due on February 22, 2011.

Dated: December 7, 2010

SALTZMAN & JOHNSON LAW CORPORATION

By: _____/S/

Anne M. Bevington
Attorneys for Plaintiffs

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1 Dated: December 7, 2010

KAY & MERKLE, LLP

2
3 By: _____/S/
4 Douglas A. Marshall
5 Attorneys for Defendants

6
7 **ORDER**

8 The parties having stipulated, and good cause appearing therefor,

9 IT IS HEREBY ORDERED as follows:

10 (1) The deadline for completing mediation, previously set for January 4, 2011, is extended
11 to February 3, 2011;

12 (2) The Case Management Conference previously set for January 14, 2011, is continued to
13 Friday, February 18, 2011, at 1:30 p.m.;

14 (3) An updated joint case management conference statement shall be due by February 11,
15 2011.

16 IT IS SO ORDERED.

17 Dated: 12/8/10

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JOSEPH C. SPERO
JUDGE JOSEPH C. SPERO
UNITED STATES MAGISTRATE JUDGE